

PEARSON, J.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	CASE NO. 1:21-CR-521-2
Plaintiff,	)	
	)	
v.	)	JUDGE BENITA Y. PEARSON
	)	
DAMARA SANDERS,	)	
	)	<b><u>ORDER</u></b>
Defendant.	)	[Resolving <a href="#">ECF No. 166</a> ]

Pending before the Court is Defendant Damara Sanders' Motion for Appellate Bond. [ECF No. 166](#). The Government has responded in opposition. [ECF No. 168](#). For good cause shown, Defendant's Motion for Appellate Bond is granted.

Based on the Court's familiarity with the record and the parties' belief that the Court erred in its instructions to the jury on Count 3, the Court finds that Defendant meets the requirements for release pending appeal, pursuant to [18 U.S.C. § 3143\(b\)](#).<sup>1</sup> The Court finds by clear and convincing evidence that Defendant is not likely to flee or pose a danger to the community, and the appeal raises a substantial question of law and is not for purposes of delay. Should the Court be required to re-sentence Defendant for an offense that does not require a mandatory minimum term of incarceration, any sentence imposed would likely be far less than

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<sup>1</sup> Until her conviction, Defendant had been on bond with minimal interruption. The Court reiterates that marijuana is illegal federally. Any use of an illegal drug, including marijuana, by Defendant will place her release on bond in serious jeopardy.

(1:21-CR-521-2)

that previously imposed and less than the total of time already served plus expected duration of the appeal process.

The Clerk of Court is directed to serve a copy of this Order on FPC Alderson; and the U.S. Marshals Service and Office of U.S. Pretrial Services and Probation for the Northern District of Ohio.

IT IS SO ORDERED.

January 29, 2024  
Date

/s/ Benita Y. Pearson  
Benita Y. Pearson  
United States District Judge